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WILSON JEFFERSON MERO ARCENTALES (3)  
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8 UNITED STATES DISTRICT COURT  
9 CENTRAL DISTRICT OF CALIFORNIA  
10 (HONORABLE PERCY ANDERSON)

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 vs.  
14

15 WILSON JEFFERSON MERO

16 ARCENTALES (3),

17 Defendant.  
18

CASE NO. CR-19-00088-PA-3

DEFENDANT WILSON JEFFERSON  
MERO ARCENTALES'S POSITION RE:  
SENTENCING

Date: September 9, 2019  
Time: 8:30 a.m.

19 NOW COMES Defendant WILSON JEFFERSON MERO ARCENTALES, by and  
20 through his attorney of record, Mark A. Chambers, and submits the following  
21 Position re: Sentencing.

22 I

23 PLEA

24 On June 17, 2019, defendant WILSON JEFFERSON MERO ARCENTALES  
25 entered a plea of guilty to a single-count Second Superseding Information charging  
26 him with conspiracy to possess with intent to distribute cocaine, in violation of 21  
27 U.S.C. §§ 846 and 841(b)(1)(A). There is a plea agreement in this case.

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## II

CURRENT CUSTODY STATUS &  
DEFENSE SENTENCING POSITION

Mr. Mero Arcentales was arrested on February 2, 2019, and has since been in continuous federal custody. It is the position of the defense that Mr. Mero Arcentales should be sentenced to a custodial term of 24 months.

## III

ANALYSIS OF 18 U.S.C. § 3553(a) FACTORS

The defense respectfully requests that the Court consider the following, pursuant to 18 U.S.C. § 3553(a), in regards to the nature and circumstances of the offense and the history and characteristics of the defendant.

*Personal & Family Background*

Mr. Mero Arcentales is 19-years old. He is the oldest of five children and the father of a one-year old infant. At the time of the instant offense, he was 18-years old and living in Ecuador with his parents, his three younger siblings, his infant son, and his son's mother in a small three-bedroom home provided by the Ecuadorean government. He and his father, who is a co-defendant in this case, drew meager incomes as fishermen and the family was in danger of being evicted due to unpaid utilities. (See Doc. 68, PIR, p. 9, para. 48.) His involvement in the offense was due to the family's need for money, which they desperately needed to stay in their own home. Aside from the instant offense, he has no prior criminal history.

*Education & Employment History*

Mr. Mero Arcentales has been working as a fisherman since the age of 12, when he dropped out of school to help support his family. At times, he would assist his mother, who would wash clothes for nominal sums. His average monthly income is \$150. Upon his release from custody, he plans to obtain a fishing license in Ecuador that would allow him to earn additional money.

## IV

CRIMINAL HISTORY

Mr. Mero Arcentales has zero criminal history points, yielding a criminal history category of I.

## V

GUIDELINE CALCULATIONS AND ADJUSTMENTS(1) Applicable Guideline/Base Offense Level.

The base offense level pursuant to U.S.S.G. §§2D1.1(c)(1) and (a)(5) is 34.

(2) Minor Role.

The parties stipulate that Mr. Mero Arcentales should receive a 2-level reduction as a minor participant under U.S.S.G. §3B1.2(b).

(3) Safety Valve.

The defense submits that Mr. Mero Arcentales meets the criteria set forth in the safety valve provision, set forth in U.S.S.G. §5C1.2, and that a two-level reduction therefore applies under U.S.S.G. §2D1.1(b)(17).

(4) Acceptance of Responsibility.

The defense submits that Mr. Mero Arcentales should receive a three-level reduction for acceptance of responsibility, pursuant to U.S.S.G. §3E1.1.

(5) 18 U.S.C. § 3553(a) Factors/Downward Variance.

The defense submits that a term of 24 months in custody is sufficient, but not greater than necessary, to fulfill the sentencing objectives set forth in 18 U.S.C. § 3553(a). Mr. Mero Arcentales is 19 years old. At the time of the offense, he was 18. He has no prior criminal history and up until his involvement in the instant offense he has shown the utmost respect for the law. His involvement in the instant offense was due not to greed but to

economic necessity as he and his family were in danger of being evicted from their home.

Given his lack of criminal history and low risk of recidivism, a custodial term of 24 months more than adequately reflects the seriousness of the offense, promotes respect for the law, provides just punishment, deters criminal conduct, and protects the public.

BASE OFFENSE LEVEL [U.S.S.G. §§2D1.1(c)(1), (a)(5)] 34

Minor Role -2

Safety Valve -2

Acceptance of Responsibility -3

TOTAL ADJUSTED OFFENSE LEVEL 27

3553(a) Factors/Downward Variance 17

#### VI

#### SENTENCING RECOMMENDATION

The defense respectfully requests that this Court find Mr. Mero Arcentaless's base offense level to be 34, with a 2-level reduction for minor role, a 2-level reduction under the safety valve provision, and a three-level reduction for acceptance of responsibility, for a total adjusted offense level of 27, Criminal History Category I. Further, the defense respectfully requests the Court grant a downward variance to offense level 17, for a total custodial term of 24 months.

Respectfully submitted,

Dated: August 12, 2019

/s/ Mark A. Chambers  
 MARK A. CHAMBERS  
 Attorney for Defendant  
 WILSON JEFFERSON MERO  
 ARCENTALES (3)